

**KITSAP COUNTY DISTRICT COURT, STATE OF WASHINGTON  
SMALL CLAIMS NOTICE OF CLAIM**

**PRINT CLEARLY**

CASE NUMBER \_\_\_\_\_

PLAINTIFF

DEFENDANT

Name	Name
Street--	Street--
City/State/Zip--	City/State/Zip--
Phone--	Phone--

**TO THE DEFENDANT--**

You are hereby notified that the plaintiff has filed a claim against the defendant(s) in the above-entitled court. The reasons for the claim and the amount of the claim are stated below.

The defendant is directed and required to appear personally in the Small Claims Department of the Kitsap County District Court located at

**□ 614 Division Street, Port Orchard, WA Courtroom 104**

on \_\_\_\_\_, at \_\_\_\_\_ AM/PM, to respond to the claim.

If the defendant fails to appear, judgment will be entered against defendant for the amount of the claim.

**STATEMENT OF CLAIM**

**THE PLAINTIFF SEEKS THE RECOVERY OF MONEY FROM THE DEFENDANT AS FOLLOWS--**

The Reason(s) I Claim The Defendant Owes Me Money	Itemized List Of Amount(s) The Defendant Owes Me			
<input type="checkbox"/> Landlord/Tenant Claim I am the-- <input type="checkbox"/> landlord <input type="checkbox"/> tenant <input type="checkbox"/> Vehicle Claim <input type="checkbox"/> Vehicle was not properly repaired <input type="checkbox"/> Vehicle was repaired but not paid <input type="checkbox"/> Vehicle was damaged <input type="checkbox"/> Purchase/sale of vehicle <input type="checkbox"/> Services Claim <input type="checkbox"/> Services not properly performed <input type="checkbox"/> Services performed but not paid <input type="checkbox"/> Loan Was Not Re-Paid <input type="checkbox"/> The Item I Purchased Does Not Work <input type="checkbox"/> My Property Was Damaged <input type="checkbox"/> I Was Injured <input type="checkbox"/> Business Transaction <input type="checkbox"/> NSF (Not Sufficient Funds) Check <input type="checkbox"/> Other (Describe)--	Date Owed	Amount	Description of Amount Owed	Proof
		\$		<input type="checkbox"/> Testimony <input type="checkbox"/> Document
		\$		<input type="checkbox"/> Testimony <input type="checkbox"/> Document
		\$		<input type="checkbox"/> Testimony <input type="checkbox"/> Document
		\$		<input type="checkbox"/> Testimony <input type="checkbox"/> Document
		\$		<input type="checkbox"/> Testimony <input type="checkbox"/> Document
		\$		<input type="checkbox"/> Testimony <input type="checkbox"/> Document
		\$		<input type="checkbox"/> Testimony <input type="checkbox"/> Document
		\$		<input type="checkbox"/> Testimony <input type="checkbox"/> Document
Total amount of money I claim the defendant(s) owes me is - \$ _____ (the above amounts must add up to this total amount)				

**TO THE PLAINTIFF--**

- The plaintiff must properly complete this Notice of Claim form as follows--
  - The plaintiff's failure to specifically list the amount of each item being sought may result in a continuance or denial of that amount.
  - The plaintiff should not include the filing fee or service fee(s) in the itemized list of amounts being sought.
  - Under "Proof," all applicable boxes (testimony and/or document) for each specific itemized amount sought must be checked.
- The plaintiff is responsible for having the defendant served with a copy of this claim and the court clerk cannot assist with service.
- If the plaintiff fails to appear, the plaintiff's claim will be dismissed by the Court.
- I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATE AND PLACE \_\_\_\_\_

PLAINTIFF

*Revised 9/01/10*

# NOTICE TO PLAINTIFF AND DEFENDANT

## CONTINUANCES OF THE TRIAL DATE

- Continuances will be only granted for good cause.
- All requests for continuances of the trial date must be in writing, filed with the court, and served on all other parties.
- The party requesting the continuance must appear in court on the date of the trial, unless notified in writing by the court that the trial date has been rescheduled.
- Either party may appear and request a continuance in court on the date of the trial.
- If the defendant has not been served with a copy of the claim prior to the trial date, the plaintiff may request a continuance on the date of the trial by appearing in court, on the record, at the time set for trial.

## FAILURE TO APPEAR

- If the plaintiff fails to appear at the date and time set for trial, the case will be dismissed without prejudice. If the plaintiff thereafter wants to pursue the claim, the claim must be re-filed, and the filing fee must be re-paid.
- If the defendant, who has been properly served with a copy of the Notice of Claim, fails to appear at the date and time set for trial, and the plaintiff appears, then the Court will enter a judgment by default for the amount requested on the Notice of Claim, plus costs.
- Prior to a default judgment being entered against a defendant, the plaintiff must complete a Declaration of Non-Military Service stating that the defendant is not a service member in military service nor a dependent of a service member in military service. See 50 U.S.C. § 501 et seq. and RCW 38.42.

## MANDATORY MEDIATION

- Trained mediators from the Dispute Resolution Center of Kitsap County (DRC) will be present at the time of your trial to provide mediation services at no cost to either party. You may contact DRC at 360-698-0968 prior to the trial if you want to attempt to reach a settlement.
- Mediation is mandatory. All parties will be required to attempt to reach a settlement on the day of trial. If you are not able to reach a settlement, you will then appear in front of the judge.
- The DRC provides confidential mediation services, with the goal of reaching an agreed settlement of the claim. The DRC is very successful in resolving these types of cases.
- You do not lose any legal rights, nor do you give up your trial date, by attempting mediation prior to trial.

## TRIAL

- If you want to show any documents or photographs to the judge as evidence, you must provide a copy for the other party. Failure to provide copies at the time of the trial may result in your case being reset to another date.
- If you want the judge to consider images, you must print them. The judge will not consider images stored on a device such as a camera or lap top, because it cannot be made part of the court record.
- If you want the judge to look at a video recording, you must provide a device in court to display the video, and you must have a copy of the video that can be kept in the court record.
- Most small claims trials take approximately 15 to 25 minutes. If the judge determines that your case will take significantly longer, your case may be rescheduled to another date when more time is available.
- Occasionally, the court calendar cannot be completed in the time available, for a variety of reasons, which may result in your case being reset to another date.